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Dated: September 29, 2003

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lenz et al.

Confirmation No.: 7045

Filing Date: November 15, 2000

Examiner: Zitomer, S.

Serial No.: 09/715,764

Group Art Unit: 1634

Title: **GENOMIC POLYMORPHISM FOR PREDICTING THERAPEUTIC RESPONSE**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

**PRELIMINARY AMENDMENT RESPONSIVE TO
AUGUST 27, 2002 FINAL OFFICE ACTION FILED IN
CONNECTION WITH REQUEST FOR CONTINUING APPLICATION**

On August 27, 2002, a Final Office Action was issued by the U.S. Patent and Trademark Office in connection with the above-identified application. On January 27, 2002, a Notice of Appeal and Petition for a Three Month Extension of Time, along with the required fees, were filed. As a result, Applicants' Brief on Appeal was due March 27, 2003.

Enclosed herewith is a Petition for a Five Month Extension of Time and authorization to charge the extension fee to the undersigned's Deposit Account, making the response due September 27, 2003. However, because September 27, 2003 falls on a Saturday, a response or other action filed the next business day, namely, Monday, September 29, 2003, is considered timely under 37 C.F.R. § 1.7. The application is currently pending and this Request for a Continuing Application and Preliminary Amendment is timely filed.

The Amendments to the Claim begin on page 2 of this Response.

The Remarks begin on page 5 of this Response.

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